

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: May 5, 2010
POSITION: Oppose
SPONSOR: California Academy of Physician Assistants

BILL NUMBER: SB 1069
AUTHOR: F. Pavley

BILL SUMMARY: Physician Assistants

This bill would: (1) authorize physician assistants (PA's) to order durable medical equipment as well as perform and certify physical examinations and other medical services, as specified, (2) authorize state and local government agencies to rely on certificates executed by PA's, as specified, and (3) establish statute of limitations regulations for claims brought against PA's.

FISCAL SUMMARY

The Department of Consumer Affairs (DCA) indicates no fiscal impact as a result of this bill.

The Employment Development Department (EDD) indicates it has no practical way of determining whether a PA is certifying within his or her scope of license or certification as required under the California Unemployment Insurance Code. Therefore, the EDD indicates it would incur unabsorbable costs of \$203,000 in 2010-11 and \$994,000 annually thereafter to: 1) develop and maintain a database to verify that each PA is acting within the scope of his or her license or certification; 2) implement programming changes to EDD's State Disability Insurance (SDI) claims database; 3) update manuals, procedures, and claim forms to allow for a PA certification, and 4) train staff to verify medical certifications to ensure that certificates signed by a PA are for medical conditions within his or her scope of practice.

To the extent that the current year costs cannot be absorbed within EDD's existing resources, an appropriation would be necessary to fund these costs. Absent an appropriation, EDD may have to delay implementation of the bill until July 1, 2011.

COMMENTS

The Department of Finance opposes this bill for the following reasons:

- This bill could result in significant, unabsorbable costs to the EDD that were not included in the Governor's latest fiscal plan.
- By imposing a statute of limitations for the PA Committee to file an accusation against a licensee, the DCA notes concern that this bill could result in potential harm to consumers since the PA Committee would lose the ability to prosecute violators of the Physician Assistance Practice Act (PAPA).

Existing law:

- Provides that a PA may perform the medical services that are set forth by the regulations of the board when the services are rendered under the supervision of a licensed physician and surgeon.
- Requires the establishment of written guidelines for adequate supervision of PA's by a Supervising Physician and allows for the requirements to be satisfied by adopting protocols for some or all of the tasks performed by the PA.

Analyst/Principal (0281) J. Carosone	Date	Assistant Program Budget Manager Nona Martinez	Date
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Department Deputy Director	Date
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Governor's Office:	By:	Date:	Position Approved _____
			Position Disapproved _____

BILL ANALYSIS	Form DF-43 (Rev 03/95 Buff)
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		SO	(Fiscal Impact by Fiscal Year)							
Code/Department	LA	(Dollars in Thousands)								
Agency or Revenue	CO	PROP							Fund	
Type	RV	98	FC	2010-2011	FC	2011-2012	FC	2012-2013	Code	
1110/ConAfr-ReqBd	SO	No		-----	No/Minor	Fiscal Impact	-----		0280	
7100/EDD	SO	No	C	\$203	C	\$994	C	\$994	0870	
<u>Fund Code</u>	<u>Title</u>									
0280	Physician Assistant Fund									
0870	Unemployment Administration Fund									